

1977

## c 19 The Highway Traffic Amendment Act, 1977 (No 2.)

Ontario

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## CHAPTER 19

**An Act to amend The Highway Traffic Act***Assented to July 12th, 1977*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.—(1) Paragraph 1a of subsection 1 of section 1 of *The Highway Traffic Act*, being chapter 202 of the Revised Statutes of Ontario, 1970, as renumbered by the Statutes of Ontario, 1973, chapter 167, section 1, is repealed and the following substituted therefor:

s. 1 (1), par. 1a.  
re-enacted

1a. "built-up area" means the territory contiguous to a highway not within a city, town, village or police village where,

- i. not less than 50 per cent of the frontage upon one side of the highway for a distance of not less than 200 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
- ii. not less than 50 per cent of the frontage upon both sides of the highway for a distance of not less than 100 metres is occupied by dwellings, buildings used for business purposes, schools or churches, or
- iii. not more than 200 metres of the highway separates any territory described in subparagraph i or ii from any other territory described in subparagraph i or ii,

and signs are displayed as required by the regulations.

s. 1 (1), par. 15c,  
subpar. v,  
re-enacted

- (2) Subparagraph v of paragraph 15c of subsection 1 of the said section 1, as re-enacted by the Statutes of Ontario, 1975, chapter 78, section 1, is repealed and the following substituted therefor:

v. which does not have sufficient power to enable the bicycle to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start.

s. 63a (5) (c),  
re-enacted

- 2.—(1) Clause c of subsection 5 of section 63a of the said Act, as enacted by the Statutes of Ontario, 1975 (*2nd Session*), chapter 14, section 1, is repealed and the following substituted therefor:

(c) who is actually engaged in work which requires him to alight from and re-enter a motor vehicle at frequent intervals and who, while engaged in such work, does not drive or travel in that vehicle at a speed exceeding 40 kilometres per hour; or

s. 63a (7) (b),  
re-enacted

- (2) Clause b of subsection 7 of the said section 63a is repealed and the following substituted therefor:

(b) is actually engaged in work which requires him to alight from and re-enter the motor vehicle at frequent intervals and the motor vehicle does not travel at a speed exceeding 40 kilometres per hour; or

s. 82 (1),  
amended

- 3.—(1) Subsection 1 of section 82 of the said Act is amended,

- (a) by striking out "50 miles" in the first line of clause a and inserting in lieu thereof "80 kilometres";
- (b) by striking out "30 miles" in the first line of clause b and inserting in lieu thereof "50 kilometres";
- (c) by striking out "20 miles" in clause d and inserting in lieu thereof "30 kilometres"; and
- (d) by striking out "15 miles" in the first line of clause e and inserting in lieu thereof "20 kilometres".

- (2) Subsection 2 of the said section 82 is amended by striking <sup>s. 82 (2),</sup> amended out "25 miles" in the second line and in the fifth line and inserting in lieu thereof in each instance "40 kilometres".
- (3) Subsection 3 of the said section 82 is amended by striking <sup>s. 82 (3),</sup> amended out "30 miles" in the fourth line and inserting in lieu thereof "50 kilometres".
- (4) Subsection 4 of the said section 82 is amended by striking <sup>s. 82 (4),</sup> amended out "15 miles" in the fifth line and inserting in lieu thereof "20 kilometres".
- (5) Subsection 5 of the said section 82 is amended by striking <sup>s. 82 (5),</sup> amended out "60 miles" in the fifth line and inserting in lieu thereof "100 kilometres".
- (6) Subsection 6 of the said section 82 is amended by striking <sup>s. 82 (6),</sup> amended out "50 miles" in the seventh and eighth lines and inserting in lieu thereof "80 kilometres".
- (7) Subsection 7 of the said section 82 is amended by striking <sup>s. 82 (7),</sup> amended out "35 miles per hour or more than 60 miles per hour" in the sixth line and inserting in lieu thereof "60 kilometres per hour or more than 100 kilometres per hour".
- (8) Subsection 10 of the said section 82 is amended by <sup>s. 82 (10),</sup> amended striking out "50 miles" in the second line and inserting in lieu thereof "80 kilometres".
- (9) Subsection 12 of the said section 82 is amended, <sup>s. 82 (12),</sup> amended
- (a) by striking out "500 feet" in the third line of clause *a* and inserting in lieu thereof "150 metres";
  - and
  - (b) by striking out "25 miles" in the first line of clause *b* and inserting in lieu thereof "40 kilometres".
- (10) Subsection 16 of the said section 82 is repealed and the <sup>s. 82 (16),</sup> re-enacted following substituted therefor:

(16) Every person who contravenes any of the provisions <sup>Penalty</sup> of this section or any by-law or regulation made under this section is guilty of an offence and on summary conviction is liable, where the rate of speed at which the motor vehicle was driven,

- (a) is less than 20 kilometres per hour over the maximum speed limit, to a fine of \$1.25 for each kilometre per hour that the motor vehicle was driven over the maximum speed limit;



- (b) is 20 kilometres per hour or more but less than 40 kilometres per hour over the maximum speed limit, to a fine of \$1.75 for each kilometre that the motor vehicle was driven over the maximum speed limit;
- (c) is 40 kilometres per hour or more but less than 60 kilometres per hour over the maximum speed limit, to a fine of \$2.50 for each kilometre per hour that the motor vehicle was driven over the maximum speed limit; and
- (d) is 60 kilometres per hour or more over the maximum speed limit, to a fine of \$3.25 for each kilometre that the motor vehicle was driven over the maximum speed limit.

s. 82 (17),  
amended

- (11) Subsection 17 of the said section 82 is amended by striking out "30 or more miles" in the third and fourth lines and inserting in lieu thereof "60 or more kilometres".

s. 82a,  
enacted

4. The said Act is amended by adding thereto the following section:

Conversion  
of rate  
of speed  
set out in  
by-laws

82a. Upon the maximum permitted rate of speed in kilometres per hour being marked on the highways or portions thereof affected, the speed limits established under a by-law passed pursuant to subsection 2, 3, 4, 5, 6, 7 or 12 of section 82 that are expressed as a rate of speed in miles per hour set out in Column 1 of the Table shall be deemed to be the rate of speed in kilometres per hour set opposite thereto in Column 2 of the Table.

TABLE

COLUMN 1	COLUMN 2
Rate of Speed in Miles per Hour	Rate of Speed in Kilometres per Hour
15	20
20	30
25	40
30	50
35	60
40	60
45	70
50	80
55	90
60	100

5.—(1) Section 84 of the said Act is amended by striking out <sup>s. 84. amended</sup> "5 miles" in the sixth line and inserting in lieu thereof "10 kilometres".

(2) The said section 84 is further amended by adding <sup>s. 84. amended</sup> thereto the following subsections:

(2) The rates of speed set out in a regulation made under subsection 1 that are expressed as a rate of speed in miles per hour set out in Column 1 of the Table shall be deemed to be the rate of speed in kilometres per hour set opposite thereto in Column 2 of the Table. <sup>Conversion of rates of speed</sup>

TABLE

COLUMN 1	COLUMN 2
Rate of Speed in Miles per Hour	Rate of Speed in Kilometres per Hour
5	10
10	20
15	20
20	30
25	40
30	50
35	60
40	60
45	70
50	80
55	90

(3) No regulation made under subsection 1 shall apply until a notice as required by subsection 1 setting out the fixed limit of speed in kilometres per hour is posted. <sup>Notice to be posted in kilometres per hour</sup>

6. Subsection 3 of section 92 of the said Act is repealed and the following substituted therefor: <sup>s. 92 (3). re-enacted</sup>

(3) When a vehicle or street car is approaching a pedestrian crossover and is within 30 metres thereof, the driver of any other vehicle or street car approaching from the rear shall not overtake and pass such vehicle or street car. <sup>Passing moving vehicles within 30 metres of pedestrian crossover</sup>

7. Subsection 5 of section 94 of the said Act is amended by striking out "100 feet" in the fourth line and inserting in lieu thereof "30 metres". <sup>s. 94 (5). amended</sup>

8. Section 95 of the said Act is repealed and the following substituted therefor: <sup>s. 95. re-enacted</sup>

95. No driver or operator of a vehicle upon a highway shall turn the vehicle so as to proceed in the opposite direction when, <sup>U-turns prohibited</sup>

- (a) upon a curve where traffic approaching the vehicle from either direction cannot be seen by the driver of the vehicle within a distance of 150 metres;
- (b) on a railway crossing or within 30 metres of a railway crossing;
- (c) upon an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 metres; or
- (d) within 150 metres of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance.

s. 96 (17),  
amended

9. Subsection 17 of section 96 of the said Act is amended by striking out "nine feet" in the eighth line and inserting in lieu thereof "2.75 metres".

s. 99,  
amended

10. Section 99 of the said Act is amended,

- (a) by striking out "100 feet" in the second line of clause *a* and inserting in lieu thereof "30 metres"; and
- (b) by striking out "100 feet" in the first line of clause *b* and inserting in lieu thereof "30 metres".

s. 105 (2),  
amended

11. Subsection 2 of section 105 of the said Act is amended by striking out "200 feet" in the third line and inserting in lieu thereof "60 metres".

s. 106 (2),  
re-enacted

12. Subsection 2 of section 106 of the said Act is repealed and the following substituted therefor:

Following  
fire  
department  
vehicle

(2) No driver of a vehicle shall follow a fire department vehicle when responding to an alarm at a distance of less than 150 metres.

s. 110,  
amended

13. Section 110 of the said Act is amended by striking out "15 feet" in the fourth line and inserting in lieu thereof "5 metres".

s. 113 (1),  
amended

14. Subsection 1 of section 113 of the said Act is amended by striking out "six feet" in the sixth line and inserting in lieu thereof "2 metres".

s. 115 (a) (b),  
re-enacted

15. Clauses *a* and *b* of section 115 of the said Act are repealed and the following substituted therefor:



(a) approaching an oncoming vehicle within 150 metres;  
or

(b) following another vehicle within 60 metres, except  
when in the act of overtaking and passing.

16.—(1) Clause *b* of subsection 1 of section 116 of the said Act is <sup>s. 116 (1) (b),</sup> repealed and the following substituted therefor: <sup>re-enacted</sup>

(b) when it is not practicable to park, stand or stop  
the vehicle off the roadway unless a clear view of  
the vehicle and of the roadway for at least 125  
metres beyond the vehicle may be obtained from a  
distance of at least 125 metres from the vehicle in  
each direction upon the highway.

(2) Clause *a* of subsection 8 of the said section 116 is amended <sup>s. 116 (8) (a),</sup>  
by striking out "500 feet" in the third and fourth lines <sup>amended</sup>  
and inserting in lieu thereof "150 metres".

(3) Subsection 9 of the said section 116 is amended by <sup>s. 116 (9),</sup>  
striking out "100 feet in advance of the vehicle and one <sup>amended</sup>  
at a distance of approximately 100 feet" in the tenth  
and eleventh lines and inserting in lieu thereof "30 metres  
in advance of the vehicle and one at a distance of  
approximately 30 metres".

17. Section 119 of the said Act is amended by striking out "15 <sup>s. 119,</sup>  
feet" in the ninth line and inserting in lieu thereof "5 metres". <sup>amended</sup>

18. Subsection 2 of section 120*a* of the said Act, as enacted by <sup>s. 120*a* (2),</sup>  
the Statutes of Ontario, 1976, chapter 37, section 17, is <sup>re-enacted</sup>  
repealed and the following substituted therefor:

(2) A school crossing guard about to direct children <sup>School</sup>  
across a highway with a speed limit not in excess of 60 <sup>crossing</sup>  
kilometres per hour shall, prior to entering the roadway, <sup>guard shall</sup>  
display a school crossing stop sign in an upright position <sup>display</sup>  
so that it is visible to vehicular traffic approaching from <sup>sign</sup>  
each direction.

19. Subsection 1 of section 128*a* of the said Act, as enacted by <sup>s. 128*a* (1),</sup>  
the Statutes of Ontario, 1973, chapter 167, section 9, is <sup>re-enacted</sup>  
repealed and the following substituted therefor:

(1) The council of a municipality may by by-law prohibit <sup>Prohibiting</sup>  
the operation of a commercial motor vehicle other than a <sup>commercial</sup>  
bus in the left lane of any highway under its jurisdiction <sup>vehicles in</sup>  
<sup>left lane</sup>



that has three or more lanes for traffic in each direction and on which the maximum speed limit is 80 kilometres per hour or more.

Commence-  
ment

**20.** This Act comes into force on the 6th day of September, 1977.

Short title

**21.** The short title of this Act is *The Highway Traffic Amendment Act, 1977 (No. 2)*.